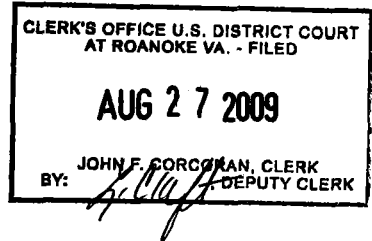


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION



|                            |   |                                      |
|----------------------------|---|--------------------------------------|
| UNITED STATES OF AMERICA   | ) | Criminal Action No. 1:04-cr-000067-1 |
|                            | ) |                                      |
| v.                         | ) | <b><u>2255 ORDER</u></b>             |
|                            | ) |                                      |
| CECIL EDWARD WAMPLER, JR., | ) | By: Hon. James C. Turk               |
| Petitioner.                | ) | Senior United States District Judge  |

In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that petitioner's petition for a writ of audita querela (docket #152) is **DENIED**; upon the Court construing the petition, the Clerk shall **OPEN** a new case for petitioner's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255; petitioner's § 2255 motion is **DISMISSED without prejudice as successive**; and the cases are **STRICKEN** from the active docket of the Court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the United States.

ENTER: This 27<sup>th</sup> day of August, 2009.

*[Signature]*  
Senior United States District Judge